

ALTER Direction – Item 44

Approve a settlement in Smith et al v. City of Austin et al, Cause No. D-1-GN-21-003081 in the 201st District Court, Travis County, Texas; Senko et al v. City of Austin et al, Cause No. 1:20-cv-01047, in the United States District Court Western Division, Austin, Texas. Strategic Outcome(s): Government that Works for All.

The City Council further affirms its commitment to improve Austin’s sexual assault response system by providing the following direction to the City Manager.

Part I: Implement Comprehensive Sexual Assault Evaluation Recommendations

In September of 2019, the City contracted with the Police Executive Research Forum D/B/A PERF, who is tasked with the work of comprehensively evaluating the Austin Police Department's (APD) investigation of and overall handling of reported sexual assaults. A preliminary report from PERF was released in June 2021 and some of the preliminary recommendations are covered in the settlement.

The Austin City Council directs the City Manager to provide Council an update on the implementation of the preliminary PERF recommendations, including details for each proposal. That report should be produced by March 15, 2022.

PERF’s final report and recommendations related to its evaluation will be released in May of 2022. The report is expected to recommend necessary policy reforms and further investments to improve system responses for survivors of sexual assaults in Austin.

The anticipated final recommendations from nationally recognized subject matter experts are not currently part of the settlement framework that Council is approving today. We understand why that may be the case as PERF continues its important and comprehensive research, which includes talking to various stakeholders, including many in the survivor community.

Council directs the City Manager to prioritize the implementation of the policy and budgetary recommendations of the PERF final report. Within 45 days of the release of PERF’s final report, the City Manager is directed to report back to Council with a plan for how the recommendations will be implemented, including a reasonable timeframe for expected implementation and identified financial resources.

Part II: Improved Training Related to Sex Crimes

The Austin City Council directs the City Manager to prioritize financial and logistical support for the Austin Police Department to develop and maintain training programs and materials for the Sex Crimes Unit that:

- facilitate more frequent, flexible, and robust training;
- create in house subject matter expertise;
- enable APD Detectives, when appropriate and necessary, to “learn at their own pace”, refresh their skills, and to access a pre-determined learning course commensurate

with the goals and objectives of improving the overall outcome of Sex Crimes investigations;

- facilitate additional training related to sex crimes for APD Cadets, Patrol Officers, and Detectives to enhance their skills as well as to establish training pathways to be considered for acceptance into the Sex Crimes Unit; and
- recognize that APD is only one of many law enforcement agencies in the area and that APD has an opportunity and responsibility to showcase and share best practices on how to conduct a successful sex crimes investigation from the initial call to 911 through a successful prosecution.

In achieving the above objectives, at a minimum, the City Manager should consider adopting a “Train the Trainer” model, developing and maintaining a series of APD training videos, and developing and implementing a locally hosted, End Violence Against Women International Sex Crimes training conference. The City Manager should continue to consult with the Sexual Assault Response and Resource Team (SARRT) on ways to improve the training program related to Sex Crimes.

The City Manager is directed to provide council with a Sex Crimes Unit Training Plan that addresses the above outlined goals as well as the training components included in the settlements referenced in Item 44 on the January 27, 2022 agenda. The plan should be provided to council no later than April 1, 2022.